

**BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS
MINUTES OF MEETING OF THE BOARD**

DATE: August 16, 2006

**PLACE: Department of Administration
One Capitol Hill, Conference Room B
Providence, RI 02908**

MEMBERS PRESENT: Dana M. Newbrook, Wilbur E. Yoder, James R. Carlson, Joseph A. Cirillo and Barbara Feibelman

OTHERS PRESENT: Adam J. Sholes, Special Assistant Attorney General

**Peter N. Dennehy, Deputy Chief Legal Counsel, Dept. of Admin.
Dawne Broadfield, Board Executive**

**Peter J. Petrone, Dept. of Administration, Fiscal Fitness Program
Thomas Viall, RI.gov**

CALLED TO ORDER: Chair Newbrook called the meeting to order at 3:30 pm. to commence Board business.

MINUTES OF THE MEETING OF THE BOARD

(1) Ms. Feibelman moved to approve the open meeting minutes of July 19, 2006 as printed. Vice-Chair Yoder seconded. Motion approved by all members present.

(2) Ms. Feibelman moved to approve and seal the executive session meeting minutes of the July 19, 2006 as printed. Vice-Chair Yoder seconded. Motion approved by all members present.

EXECUTIVE SESSION

(1) Ms. Feibelman moved to convene into executive session at 4:26 p.m. pursuant to RI General Laws, § 42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and § 42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Vice-Chair Yoder seconded. Motion approved by all members present.

(2) Ms. Feibelman moved to adjourn from executive session and to reconvene to an open meeting at 5:00 p.m. pursuant to R.I.G.L. §42-46-4. Vice-Chair Yoder seconded. Motion approved by all members present.

(3) Ms. Feibelman moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Vice-Chair Yoder seconded. Motion approved by all members present.

(4) Ms. Feibelman moved to record the votes taken in executive session in accordance with Rhode Island General Law §42-46-4 as

follows. Vice-Chair Yoder seconded. Motion approved by all members present to close George Burman, Architect vs. David MacDougall – W.J. Smith/Connery Funeral Chapel and Jessica Storm Coyle by extending her architectural registration examination eligibility period.

(5) Ms. Feibelman moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Vice-Chair Yoder seconded. Motion approved by all members present.

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OLD BUSINESS

(1) Discussion on Amendments to the “Rules of the Board”

Mr. Dennehy informed the Board that he has been reviewing the Rules of the Board with Mrs. Broadfield, incorporating comments made, organizing, developing a Table of Contents and would like to continue.

Discussion arose by Ms. Feibelman on the three times failed of a section of the Architectural Registration Examination (ARE), page 5, number 7. Secretary Carlson thought that the Board concluded that it did not matter how many times an ARE candidate took a section of the ARE. Ms. Feibelman suggested that as a matter of practice the Board could look into those files and assign a Board member to assist that candidate.

Secretary Carlson asked Attorney Dennehy as to whether or not the Board could refer to the latest edition of a specific document. Attorney Dennehy stated that if the Board is deferring to another body and the other body made changes that would mean a change to this Board's rules. The Board would then have to go through the hearing process. If the Board does not go through the hearing process, the Board could be challenged.

Secretary Carlson requested that Mrs. Broadfield request a copy of the current American Institute of Architects (AIA) Continuing Education Systems (CES) Provider Manual, if it is not the 2002 Edition.

Attorney Dennehy asked the Board to allow him to continue to work with Mrs. Broadfield to go through the Rules, make wording changes, try to clean up the organization and get the draft copy back to the Board before the next meeting so that the drafts can be reviewed.

(2) “Tech Note” – Meeting to be scheduled with Daniel L. Beardsley, Jr., Executive Director, at the League of Cities and Towns, Daniel R. DeDentro, State Building Code Commissioner and the Board.

Mr. Cirillo told the Board that Mr. Warren Ducharme, Acting State Building Code Commissioner, spoke to Mr. Daniel Beardsley. Mr. Beardsley will be sending Mr. Ducharme a list of names to be sent the notice to hold the meeting between the Building Officials, State Building Code Commissioner and the Board. Therefore, this matter has been continued.

(3) Discussion on the implementation of the Governor’s Fiscal Fitness Program of On-line Renewals

Present at 3:30 p.m. were: Mr. Peter J. Petrone, Governor’s Fiscal Fitness Program E-License Pilot Project Plan and Mr. Thomas Viall, General Manager, RI.gov.

Mr. Petrone told the Board that he spoke with Mrs. Broadfield regarding the E-License Pilot Project that the Governor’s Fiscal Fitness has been trying to implement in partnership with RI.gov. This pilot project is to offer state customers an easier way to access their licensure information in the renewal process.

Mr. Viall explained to the Board that this would be an electronic

version of the paper renewal that would let the user go to a website, enter their license number, complete the renewal form on-line, include an address change, if applicable, attest to information on the renewal form, check a box attesting to who they are, pay the statutory fee with their credit card, pay an enhanced access fee for the convenience of renewing on-line, and then the data is submitted to the appropriate person who handles that license. The process means that the renewal has been submitted for approval by the Board. The licensee is not renewed until the Board sends the licensee their license. RI.gov has an interface which allows the Board and RI.gov to see in real time those licensees that are renewing. The monies are collected and deposited into the general fund. The database is updated to indicate that the licensee renewed.

RI.gov built a “core licensing application” which is designed to accommodate a large amount of licensing types and business rules associated with the license type. This allows RI.gov to add licenses quickly with an extensive testing period.

Mr. Viall questioned whether or not the licensee had to submit proof of continuing education with the renewal application. Secretary Carlson told Mr. Viall that the Board already has an audit process in place.

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Secretary Carlson asked who handles the money. Mr. Viall told the Board that they have a contract with the State of Rhode Island. The

contract indicates that RI.gov cannot hold any funds that they collect on behalf of the state no longer than seven days. Every week, RI.gov makes a deposit to the State of Rhode Island, sends a report to the Treasurer and the Board telling them who the payment is from and the amount of the deposit.

Secretary Carlson asked Mr. Viall if RI.gov had a glitch in the credit card security. Mr. Viall explained that RI.gov had an incident in December 2005 that did cause a certain amount of harm. Since that time, RI.gov has been audited by the State of Rhode Island both from security and financial standpoints. Mr. Viall stated that the incident with the credit card security will not happen again, because the information obtained is no longer housed anywhere. Mr. Cirillo stated that he was not only concerned with someone stealing his identity but also stealing his profession. The user is never shown anything that is not available in most public searches. The last step is to transmit payment which is transmitted securely over a secure socket layer and is encrypted. RI.gov does not hold the credit card number. The credit card number will be truncated. RI.gov gets the credit card approval from the bank and then truncs it. RI.gov stores the last four digits of the credit card number along with name and address on the card within something called PCI (Payment Card Industry) Compliance.

Ms. Feibelman asked how a registrant would be notified that it is time for renewal. Mr. Viall replied that the licensee would get their paper

renewal application and have the option to renew on-line.

Mr. Viall includes two phone numbers on the renewal application. One phone number goes back to the Board to answer specific questions pertaining to whether the licensee can renew. The second number is RI.gov to answer customer service questions about the on-line renewal process. Ms. Feibelman asked what would happen if a registrant checked “no” that they did not complete their continuing education. Mr. Viall indicated that the licensee would not be able to go forward.

Secretary Carlson asked Mr. Viall what is RI.gov. Mr. Viall indicated that the URL of RI.gov is actually owned by the State of Rhode Island. Mr. Viall stated that he works for New England Interactive LLC and is an owned subsidiary of NICUSA (www.nicusa.com). NICUSA specializes in self-funded projects and works with the State of Rhode Island to develop a contract and a partnership. NICUSA builds and maintains the website, RI.gov, and on-line applications. RI.gov charges an enhanced access fee which is in addition to the statutory fee to fund the portal.

Secretary Carlson asked who is liable for what and if RI.gov is shielded from credit card fraud. Mr. Dennehy stated that New England Interactive has a contract with the State of Rhode Island that deals with issues of responsibilities and the relationship. Secretary Carlson asked how long the contract was. Mr. Viall replied that their

contract is in the process of being re-bided. The State of Rhode Island issued a Request for Proposal (RFP) at the beginning of June 2006. New England Interactive answered the RFP on June 12, 2006 and there were also other responses. During the process, New England Interactive's contract was extended through June 27, 2007. If the State of Rhode Island were to award the bid to another vendor, the contract mandates a transition process. The State of Rhode Island owns the single use license of all the applications that were developed as part of the contract. Mr. Viall stated that New England Interactive has never lost a re-bid.

Ms. Feibelman asked what the surcharge would be for this type of application. Mr. Viall replied that New England Interactive works with Fiscal Fitness and the Board to come up with a reasonable fee. Mr. Viall stated that this is important because they want to make sure the fee is enough to fund the project. The fee ranges from \$1.50 to \$3.00. Mr. Viall told the Board that there is a two percent (2%) cost associated with processing a credit card. With a one-hundred dollar license, RI.gov will be charged two dollars (\$2.00) to process the credit card. If RI.gov charged only a two-dollar (\$2.00) convenience fee to renew on-line, there would not be any funding for the portal. The fees are explained on the Welcome page after the licensee logs in.

Secretary Carlson asked if New England Interactive takes all credit cards. Mr. Viall stated that in most cases New England Interactive

takes Visa or Mastercard. Discover has a slightly higher charge than two percent to process the card, and American Express has a much higher charge than that. Mr. Viall indicated that the Motor Vehicle registration renewal takes Discover card, because the State of Rhode Island pays the enhanced access fee per the Governor's decision not to charge this fee.

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Secretary Carlson asked what product Mrs. Broadfield will get from RI.gov in an electronic form. Mr. Viall stated that the renewals are done in a batch nightly for all of the licensees that renewed that day. That data is then transmitted to Mrs. Broadfield. Secretary Carlson asked Mrs. Broadfield what she does after she gets the electronic renewal. Mr. Viall will work with Mrs. Broadfield on the workflow.

Chair Newbrook asked Mr. Viall if the certificate of authorization renewal process could be incorporated on-line. Secretary Carlson felt that the licensee should be able to renew both their individual registration and their certificate of authorization on-line. Discussion occurred to require annual renewals instead of biennial renewals. Ms. Feibelman explained to Mr. Viall that the certificate of authorization attaches an individual(s) license to a particular business to make somebody in charge that is personally licensed.

The Board gave Mr. Viall permission to work with Mrs. Broadfield on

the “requirements gathering” stage of the on-line renewals projects. Mr. Viall indicated that this stage takes approximately one to three weeks. After the process is complete, Mr. Viall will bring that documentation back to the Board with screen shots for their review. Therefore, this matter has been continued.

Mr. Petrone left at approximately 4:00 p.m. Mr. Viall left at 4:24 p.m.

(4) Discussion on “disaster” – what would happen to the Board’s records, paper and computer, if the building burns?

Secretary Carlson will draft a plan for review at the September 2006 Board meeting.

(5) Topics for the next Newsletter to be published.

The newsletter is in the development stage. Vice-Chair Yoder will draft two articles for the newsletter. The Board will ask the American Institute of Architects (AIA) to publish the Board’s newsletter in their newsletter.

BLUE BOOKS (RECIPROCITY)

(A) Secretary Carlson moved to approve the following Blue Books as submitted with an expiration date of December 31, 2007. Vice-Chair Yoder seconded. Motion approved by all members present.

(1) DOWNS, James E. (3) MASSA, Gabriel John

(2) FITZ-GIBBON, Gerardo (4) VAHEDI, Hossein

CERTIFICATES OF AUTHORIZATION APPLICATIONS (See Attached List)

(A) Ms. Feibelman moved to approve the applications for Certificates of Authorization for the Sole Proprietorships for Jeffrey Alan Chmura and John Roy Racine as submitted. Vice-Chair Yoder seconded. Motion approved by all members present.

(B) Ms. Feibelman moved to approve the application for Certificate of Authorization for the Corporation for Cornerstone Consulting Engineers & Architects, Inc. as submitted. Vice-Chair Yoder seconded. Motion approved by all members present.

(C) Ms. Feibelman moved to deny the application for Certificate of Authorization for the Corporation for Thurlow Small Architecture Studio as submitted until such time as the Board receives the proper documentation of Maia Small's name change to Maia Thurlow Small, to caution Maia Small that any company literature should not indicate in any way that "Thurlow" is an Architect, to warn Maia Small that she

cannot practice architecture in the State of Rhode Island without a certificate of authorization unless she wants to get a certificate of authorization in her name only until this matter is resolved. Secretary Carlson seconded. Motion approved by all members present.

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(D) Ms. Feibelman moved to deny the application for Certificate of Authorization for the Limited Liability Company for Space LLC as submitted. Space LLC is not going forward and withdrew their Certificate of Authorization since they are now associated with Nelson Associates. Vice-Chair Yoder seconded. Motion approved by all members present.

ADJOURNMENT

Chair Newbrook informed the Board that the next Board meeting is scheduled for September 20, 2006 at 3:30 p.m. at One Capitol Hill, Conference Room B, Providence, RI 02908. Secretary Carlson moved to adjourn the meeting at 5:46 p.m. Mr. Yoder seconded. Motion approved by all members present.

Respectfully submitted,

**Dana M. Newbrook, NCARB, AIA
Chair**

DMN/dmb

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C. O. A. APPLICATIONS

Board Meeting of 16 AUGUST 2006

SOLES

JEFFREY ALAN CHMURA - 0 - APPROVED – 08/16/06

JOHN ROY RACINE - 0 - APPROVED – 08/16/06

LIMITED LIABILITY PARTNERSHIP

CORPORATIONS

**CORNERSTONE CONSULT ENGRS & ARCH INC. \$100 APPROVED –
08/16/06**

**Maia Small is changing her name to “Maia Thurlow
Small” – Proper documentation must be submitted –
cautioned that company literature should not indicate
“Thurlow” and Cannot practice under company, but
can only for a Certificate of Authorization in her name
only.**

**THURLOW SMALL ARCHITECTURE STUDIO \$100 DENIED as
submitted – 08/16/06**

DENIED

SPACE LLC 02/24/06 – NOTIFIED BD HOPING TO OFFER SERVICE OF AN INTERIOR RENOVATION OF APPROXIMATELY 4,600 SF FOR WACHOVIA LOCATED ON THE 9TH FL OF 50 KENNEDY PLAZA.

**PROJECT CONSISTED OF A LUNCH ROOM
RELOCATION AND NEW OFFICE FINISHES.**

NO STRUCTURAL WORK INVOLVED.

**03/29/06 – BD APPROVED SCOTT DANIELS RECIPROCAL
REGISTRATION**

04/05/06 – APPLIED FOR A COA UNDER SPACE LLC.

04/20/06 – COA WAS APPROVED.

**06/21/06 – FINAL NOTICE WAS SENT TO SUBMIT THE GOOD
STANDING FROM THE RI SEC. OF STATE.**

**08/04/06 – REC'D EMAIL FROM SCOTT DANIELS
SUSPENDING THEIR FILING PROCESS TO DO
BUSINESS IN RI AS AN ARCHITECTURAL FIRM.**

**ON MAY 1, 2006, SPACE FORMED A BUSINESS
RELATIONSHIP WITH AN ARCHITECTURAL FIRM
THAT IS ALREADY DOING BUSINESS IN RI.**

**COMPANY NAME UNDER SCOTT DANIELS IS NOW NELSON
INSTEAD OF SPACE LLC.**

DENIED – 08/16/06

NOW ASSOCIATED WITH NELSON ASSOCIATES.

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